



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

OFFICE OF ENVIRONMENTAL HEALTH AND SAFETY

7171 Cleanwater Lane, Building 4 • PO Box 47825 • Olympia, Washington 98504-7825

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May 24, 2005

TO: Interested Parties

FROM: Maryanne Guichard

SUBJECT: PUBLIC COMMENT AND HEARING FOR PROPOSED CHAPTER 246-272A
WAC- *ONSITE SEWAGE SYSTEMS (UNDER 3,500 GPD)* - **SUPPLEMENTAL
NOTICE**

On March 9, 2005 the State Board of Health (SBOH) held a public hearing on proposed changes to the design, installation, operation, and management requirements for onsite sewage (septic) systems. Because there were many comments at the hearing as well as proposed legislation on the issue, the Board continued discussion of the proposal to May 11, ²⁰⁰⁵. As a result of the public comments and Board discussion, the Board directed that changes be made to the proposed rules at its May 11th meeting. The purpose of this letter is to inform you of the changes and notify you of your opportunity to provide comments about the supplemental proposal.

Differences between the original and supplemental proposals:

See attachment for complete language.

Local Planning

Section 246-272A-0015 – *Local management and regulation*

The section on local planning has been amended to reflect some provisions of proposed legislation (E2SHB 1458), regarding management of onsite sewage systems in marine areas. Although the bill did not pass the legislature, the SBOH is incorporating some of the policies contained in the proposal. The legislature did provide funds in the 05-07 biennial budget for planning activities. Changes include:

- Detailed planning applies only to the 12 Puget Sound counties. Pacific County and Grays Harbor County are removed.
- Deadline for plan completion is set at July 1, 2007.
- Clarification of language to remove duplication.

Drainfield sizes for sandy soils

246-272A-0234(8) – *Design Requirements-Soil Dispersal Components*

For existing, small, undeveloped lots, the local health officer may allow a reduction in drainfield size if a higher level of treatment is used. The SBOH made this change in response to comments that some existing lots with sandy soils would become unbuildable because drainfields will be getting larger in sandy soils as a result of changes to loading rates.

Transfer of Maintenance Records

246-272A-0270(1) (k) – *Operation and Maintenance- Homeowner Responsibilities*

This supplemental proposal responds to concerns that the original language could delay or prevent home sales if no maintenance records exist. The new language clarifies that the requirement to provide maintenance records applies only if the records are available.

Minimum Land Area/Lot Size

Section 246-272A-0320 – *Developments, Subdivisions, and Minimum land area requirements.*

The original proposal increased the minimum sizes for lots with public water supplies to 0.5 acre. The supplemental proposal returns to the current rule requirements of 12,500 sq. ft. – 22,000 sq. ft., depending on soil type. The local health officer may require larger lots in areas where the local health officer identifies nitrogen as a contaminant of concern.

Opportunity to Comment

To view the supplemental proposal as well as a summary of the comments from the original proposal, please see the Department of Health rule website at <http://www3.doh.wa.gov/policyreview/>. You may also contact Kelly Cooper at (360) 236-3012 or email kelly.cooper@doh.wa.gov to have a copy mailed to you.

You may provide written comments on the website above or mail them to Kelly Cooper, PO Box 47820, Olympia, WA 98504. The deadline for written comments is **June 22, 2005**.

You may also comment in person at the State Board of Health public hearing. The hearing will be held **July 13, 2005** at **1:30 pm** in Tumwater, WA. The hearing location will be:

**Washington State Department of Health
Point Plaza East
310 Israel Road SE
Tumwater, WA 98501**

Attachment